

United States District Court

JUN 16 2008 5

SOUTHERN

DISTRICT OF

TEXAS

AAF
Michael N. Milby, Clerk
Laredo Division

UNITED STATES OF AMERICA

V.

Robert Lee RHUDY III
Pine Bluff, Arkansas
United States

(Name and Address of Defendant)

CRIMINAL COMPLAINT

Case Number: 5:08-MJ-1142

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about June 14, 2008 in Laredo, Texas WEBB County, in
(Date)
the Southern District of Texas, Robert Lee RHUDY III defendant(s),

a United States Citizen, did unlawfully transport Mexican citizens Carlos MENDOZA-Chavez, Hilda EUGENIO-Tadeo and twenty-two (22) additional undocumented aliens by means of a motor vehicle within the Southern District of Texas knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said aliens within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law.

in violation of Title 8 United States Code, Section(s) 1324 (a) (1) (A) (ii)
Special Agent,

I further state that I am a(n) U.S. Immigration & Customs Enforcement and that this complaint is based on the
Official Title


following facts: based on statements of the accused and records of Immigration and Customs Enforcement.

See Attachment "A"

Continued on the attached sheet and made a part of this complaint:

☒ Yes

☐ No


Signature of Complainant

Federico Garza

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 16, 2008

Date

at

Laredo, Texas

City and State

Adriana Arce Flores

U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer

vs

Robert Lee RHUDY III

[CONT OF BASIS OF COMPLAINT]

On June 14 , 2008, at approximately 2:35 A.M., United States Border Patrol Agents assigned to work the United States Border Patrol Checkpoint, located at the 29 mile marker of Interstate Highway 35, observed a White tractor trailer approach the primary inspection lane.

At the primary inspection lane, Border Patrol Agents asked the driver, later identified as Robert Lee RHUDY III, to state his citizenship in which he replied United States Citizen. At this time, his Border Patrol K-9 advised the primary Border Patrol Agent that his Service K-9 alerted to the presence of people or contraband in the trailer. Border Patrol Agents escorted the tractor trailer to secondary inspection where they found twenty-four (24) people locked in the trailer portion of the truck trailer. An immigration inspection conducted by Border Patrol Agents determined that all twenty-four (24) individuals were undocumented aliens in the United States illegally.

Two of the undocumented aliens Hilda EUGENIO-Tadeo and Carlos MENDOZA-Chavez are being held as Material Witnesses in this case.

ICE Special Agents were notified of the smuggling case and arrived to the IH-35 Checkpoint to follow up the investigation. ICE Special Agents advised RHUDY of his Constitutional Rights as per Miranda. RHUDY waived his rights and agreed to give a statement. The following is a paraphrased summary of his statement.

RHUDY stated that he was recruited by an individual named Terry last name unknown (LNU) to transport undocumented aliens to the 144 mile marker exit of IH-35 from Laredo, Texas. RHUDY stated that Terry paid him \$200 US up front and was going to pay him an additional \$5000 US upon arrival at the 144 mile marker exit on IH-35. RHUDY stated that he agreed to drive the tractor trailer with the aliens to San Antonio, Texas because he just wanted the opportunity to leave Laredo and he needed the money.